



NRO-~~xxx~~-11

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE

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COMMONWEALTH OF VIRGINIA Department of Environmental Quality Northern Regional Office

STATEMENT OF LEGAL AND FACTUAL BASIS

Motiva Enterprises, LLC
Fairfax Terminal
3800 Pickett Road
Fairfax, Virginia
Permit No. NRO-70248

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Motiva Enterprises, LLC has applied for a Title V Operating Permit for its Fairfax Terminal facility. The Department has reviewed the application and has prepared a draft Title V Operating Permit.

Engineer/Permit Contact: _____ Date: _____

Elizabeth Aiken
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Air Permit Manager: _____ Date: _____

Terry H. Darton

Regional Director: _____ Date: _____

Thomas A. Faha

I. FACILITY INFORMATION

Permittee

Motiva Enterprises, LLC
3800 Pickett Road
Fairfax, Virginia 22031

Facility

Motiva Enterprises, LLC
Fairfax Terminal
3800 Pickett Road
Fairfax, Virginia 22031
County-Plant Identification Number: 51-059-0069

SOURCE DESCRIPTION

NAICS Code: 424710 - Petroleum Bulk Stations and Terminals

The Motiva Enterprises, LLC facility, formerly Star Enterprise – Fairfax Terminal, is a petroleum liquid storage and distribution terminal (SIC Code 5171 – Petroleum Bulk Stations and Terminals). The original registration application is dated July 11, 1972. At that time tanks 30801, 30802, and 30803 stored #1 fuel oil; tank 30804 stored diesel; tanks 30805, 30806, 30807, and 30808 stored gasoline (tanks equipped with internal floating roofs); and tank 31536 stored #2 fuel oil. There was also a tank 12534 which was an underground storage tank for fuel oil. No permit was required.

The facility receives gasoline, diesel, and aviation jet fuel via common carrier pipeline. Ethanol and gasoline/ethanol blends are received by tanker truck. Gasoline, diesel, and aviation jet fuel receipts are diverted into nine above ground storage tanks: seven for gasoline/ethanol and two for diesel/jet fuel storage. Ten storage tanks are used for additives. Additives are received by tanker trucks. Aviation jet fuel is sent directly to Washington-Dulles Airport via pipelines. The gasoline, diesel, ethanol, and gasoline additives are pumped into a five lane loading rack equipped with thirty-five total risers used to load trailer tank trucks. All of the risers are connected to a vapor collection system and an associated vapor recovery unit (VRU). The loading rack was upgraded in 1992 which reduced the number of lanes from six to five and made all positions bottom loading. The terminal has three underground storage tanks, and two oil-water separators.

The VRU is a John Zink VRU, Model No. S3-AAW-6-100-80-12 Activated Carbon Adsorption Beds (2). The unit is capable of processing vapors from the terminal with a maximum emission concentration of 10 mg/l or less of gasoline loaded.

The facility is a Title V major source of Volatile Organic Compounds (VOC). This source is located in a non-attainment area for ozone and an attainment area for all other pollutants. The facility is currently permitted under a Minor NSR Permit issued on October 20, 2011.

COMPLIANCE STATUS

A full compliance evaluation of this facility, including a site visit, has been conducted. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. Based on these compliance evaluations, the facility has not been found to be in violation of any state or federal applicable requirements at this time.

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II. EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

The emissions units at this facility consist of the following:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Working Capacity ¹	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
31536	31536	Petroleum liquid storage tank (Diesel/Jet fuel/ Kerosene/Other Distillate Products)	2,790,713 Gallons	Vertical Fixed Roof tank	--	--	October 20, 2011
30801	30801	Petroleum liquid storage tank (Diesel/Jet fuel/ Kerosene/Other Distillate Products)	1,782,923 Gallons	Vertical Fixed Roof Tank	--	--	October 20, 2011
30802	30802	Petroleum liquid storage tank. (Gasoline/Diesel/ Ethanol/Jet Fuel/Ethanol-Gasoline Blend)	1,786,057 Gallons	Internal floating roof with liquid mounted shoe seal and rim mounted secondary seal	--	VOC	October 20, 2011
30803	30803	Petroleum liquid storage tank. (Gasoline/Diesel/ Ethanol/Jet Fuel/Ethanol-Gasoline Blend)	1,367,450 Gallons	Internal floating roof with a liquid mounted primary seal and a vapor mounted secondary wiper seal	--	VOC	October 20, 2011
30804	30804	Petroleum liquid storage tank. (Gasoline/Diesel/ Ethanol/Jet Fuel/Ethanol-Gasoline Blend)	1,366,250 Gallons	Internal floating roof with a liquid mounted primary seal and a vapor mounted secondary wiper seal	--	VOC	October 20, 2011

Emission Unit ID	Stack ID	Emission Unit Description	Size/Working Capacity ¹	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
30805	30805	Petroleum liquid storage tank. (Gasoline/Diesel/Ethanol/Jet Fuel/Ethanol-Gasoline Blend)	1,425,026 Gallons	Internal floating roof with a liquid mounted primary seal and a vapor mounted secondary wiper seal	--	VOC	October 20, 2011
30806	30806	Petroleum liquid storage tank. (Gasoline/Diesel/Ethanol/Jet Fuel/Ethanol-Gasoline Blend)	1,428,625 Gallons	Internal floating roof with a liquid mounted primary seal and a vapor mounted secondary wiper seal	--	VOC	October 20, 2011
30807	30807	Petroleum liquid storage tank. (Gasoline/Diesel/Ethanol/Jet Fuel/Ethanol-Gasoline Blend)	2,908,217 Gallons	Internal floating roof with a liquid mounted primary seal and a vapor mounted secondary wiper seal	--	VOC	October 20, 2011
30808	30808	Petroleum liquid storage tank. (Gasoline/Diesel/Ethanol/Jet Fuel/Ethanol-Gasoline Blend)	2,915,561 Gallons	Internal floating roof with a liquid mounted primary seal and a vapor mounted secondary wiper seal	--	VOC	October 20, 2011
Loading Rack	Loading Rack	Five-lane Tanker Truck Loading Rack	180,000 gal/hr	John Zink VRU, Model No. S3-AAW-6-100-80-12 Activated Carbon Adsorption Beds (2)	VRU	VOC	October 20, 2011

¹ The Size/Working capacity is provided for informational purposes only, and is not an applicable requirement. These volumes are the available working volumes.

EMISSIONS INVENTORY

A copy of the 2010 annual emission update is attached. Emissions are summarized in the following tables.

2010 Actual Emissions

2010 Criteria Pollutant Emission in Tons/Year				
VOC	CO	SO ₂	PM ₁₀	NO _x
31.62	--	--	--	--

2010 Facility Hazardous Air Pollutant Emissions

Pollutant	2010 Hazardous Air Pollutant Emission in Tons/Yr
2,2,4-Trimethylpentane	0.137
Benzene	0.083
Cumene	0.002
Ethylbenzene	0.008
Hexane	0.142
Methyl tert-butyl ether	0.086
Toluene	0.115
Xylenes	0.044
Total	0.617

III. EMISSION UNIT APPLICABLE REQUIREMENTS – Tanks 30802, 30803, 30804, 30805, 30806, 30807, and 30808

Tanks 30801 and 31536 are fixed roof grandfathered tanks that are not subject to any NSPS or existing source rule. The only limits on these two units are fuel throughput limits. All other tanks on site (30802, 30803, 30804, 30805, 30806, 30807, and 30808) are subject to the following limitations.

A. Limitations

1. Emission Controls – A tank with a fixed roof in combination with an internal floating roof (IFR) must meet certain specifications that mitigate VOC emission loss from sampling, from access to product by ladder or through any openings (e.g. rim space vents, automatic bleeder vents), and from filling, emptying, or refilling of the tank. Note: Slotted guide poles are included as an opening that should have 'no visible gap' (Federal Register /Vol. 65, No. 72 /Thursday, April 13, 2000 /Notices 19891). Motiva Fairfax terminal participates in the voluntary Emission Reductions Partnership Program for slotted guide poles for NSPS Subpart Ka/Kb storage vessels. The slotted guide poles emissions from Subpart Kb and non-Kb tanks are accounted for in the Tanks program provided with the 2010 TV renewal application update. Tank 30802 is an NSPS Kb tank. All other tanks were given these limitations due to State BACT. These requirements are per Condition 2 of 10/20/11 NSR permit.
2. The tanks are subject to the existing source rule 9 VAC 5 Chapter 40, Article 37 (Sections 5200 through 5340). Tanks storing volatile organic compounds (VOC's) shall achieve a minimum ninety percent (by weight) reduction in VOC emissions. Storage of petroleum products with a true vapor pressure greater than or equal to 1.5 psia shall achieve this reduction by installing an IFR with a seal system as described in 9VAC5-40-5230.A.1. Tanks must be painted white, light pastel or light metallic. The coating must be in good condition. These requirements are per 90 VAC 5-40-5220 A.1., 2, and 3, and 9 VAC 5-40-5230. A. 4 of the existing source regulations.
3. Requirements by Reference - Except where this permit is more restrictive than the applicable requirement, the NSPS equipment (Ref. No. 30802) shall be operated in compliance with the requirements of 40 CFR Part 60 Subparts Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) per Condition 16 of 10/20/11 NSR Permit.
4. Combined VOC emissions from the operation of storage tanks (30801-30808 & 31536) are limited to 23.0 tons per year per Condition 17 of 10/20/11 NSR Permit.

B. Monitoring

1. Tank Visual Inspection: Initial Fill - Subpart Kb and the existing source regulations (9 VAC 5 Chapter 40, Article 37) requires a visual inspection of the internal floating roof and associated seals prior to filling or refilling with gasoline, ethanol,

or gasoline/ethanol blends per Condition 5 of 10/20/11 NSR Permit.

2. Tank Visual Inspection after Emptying or Degassing - This is a requirement of the existing source regulations (9 VAC 5 Chapter 40, Article 37) and Subpart Kb; therefore, it applies to all tanks equipped with internal floating roofs per Condition 6 of 10/20/11 NSR Permit.
3. Tank Annual Visual Inspections - This is a requirement of the existing source regulations (9 VAC 5 Chapter 40, Article 37) and Subpart Kb; therefore, it applies to all tanks equipped with internal floating roof per Condition 7 of 10/20/11 NSR Permit.

C. Recordkeeping

Conditions III.C.1 through III.C.2 require records for all tank inspections, product information for tank 30802, and tank dimension and capacity for tank 30802 per Subpart Kb. These records must be available on site for inspection by DEQ and current for most recent five years per Condition 20 of 10/20/11 NSR Permit.

D. Reporting

1. The permittee must submit no later than January 30th of each calendar year, an annual report documenting annual VOC emissions from the storage and processing of fuel in Tanks 30801 – 30808 and 31536 for the previous calendar year to demonstrate compliance with their annual VOC limit, per Condition 21 of 10/20/11 NSR permit.
2. All IFR tanks are required to have an annual inspection. Subpart Kb (40 CFR 60.115b (a) (3)) requires notification if defects are detected during the annual inspection. Although the Subpart applies only to tank 30802, the condition is expanded to include all tanks. This will ensure that repairs are made in a timely manner. Existing sources are subject to 9 VAC 5-40-50 H which requires sources to provide reports at the request of the Board.
3. The permittee is required to notify the DEQ at least thirty days prior to the filling or refilling of each IFR storage tank which requires an inspection. This condition applies to all IFR tanks, per Conditions 5 and 6 of 10/20/11 NSR Permit.

IV. PROCESS EQUIPMENT REQUIREMENTS – Loading Rack, Vapor Recovery Unit, and Tanker Truck Vapor Tightness Certification

A. Limitations

1. The facility is subject to NSPS XX – Standards of Performance for Bulk Gasoline

Terminals, which requires a vapor collection and control system meeting criteria that will ensure compliance with the permitted emission standard. The vapor collection system shall be designed to prevent any total organic compound vapors collected at one loading rack from passing to another rack per Condition 2.i of 10/20/11 NSR Permit.

2. Tank trucks loaded or unloaded at the facility must be designed, maintained and certified to be vapor tight as required by Condition IV.A.2. This condition reflects the requirements of Subpart XX: 40 CFR 60.502(e) and Condition 9 of 10/20/11 NSR permit.
3. The facility must ensure loading of gasoline is made only into tank trucks equipped with vapor collection equipment that is compatible with their vapor collection system. This condition reflects the requirements of Subpart XX: 40 CFR 60.502(f) and Condition 10 of 10/20/11 NSR permit.
4. The facility must act to ensure that the terminal's and the tank truck's vapor collection systems are connected during loading of each gasoline tank truck. This condition reflects the requirements of Subpart XX: 40 CFR 60.502(g) and Condition 11 of 10/20/11 NSR permit.
5. The vapor collection system and liquid loading equipment shall not open at pressures less than 4,500 Pascals (450 mm H₂O) during product loading. This condition reflects the requirements of Subpart XX: 40 CFR 60.502(h) and Condition 12 of 10/20/11 NSR permit.
6. Emissions from the operation of the VRU due to the loading of gasoline into tank trucks shall not exceed ten milligrams of total organic compounds (TOC) per liter (10 mg/l) of gasoline loaded. This condition reflects limitations due to State BACT and Condition 18 of 10/20/11 NSR permit.
7. VOC emissions from the processing of fuel through the truck loading rack, including fugitives and vapor recovery unit, shall not exceed 45.0 tons per year. This condition reflects limitations due to State BACT and Condition 19 of 10/20/11 NSR permit.
8. Requirements by Reference - Except where this permit is more restrictive than the applicable requirement, the loading rack shall be operated in compliance with the requirements of 40 CFR 60 Subpart XX – Standards of Performance for Bulk Gasoline Terminals, and 40 CFR 60 Subpart A – General Provisions, per Condition 16 of 10/20/11 NSR Permit.

B. Monitoring

1. Monthly Leak Inspections

The facility is required to verify vapor tightness of the vapor collection system, the vapor processing system and each loading rack by monthly inspections during the loading of tanker trucks. Sight, sound, and smell are acceptable means for the determinations. Findings must be recorded in a log book and repairs must be made within fifteen calendar days. The foundation for this requirement is NSPS Subpart XX, 40 CFR 60.502 (j) and Condition 8 of their 10/20/11 NSR permit.

2. Monitoring Device: VRU – Continuous Emissions Monitoring Device (CEMS)

The facility is required to monitor TOC, in accordance with 40 CFR 60 Appendix B, Performance Specification 8, or other method as approved. The requirement stems from the emission standard of 10 milligrams of total organic compounds per liter of gasoline loaded per Condition 3 of their 10/20/11 NSR permit.

3. The CEMS must be observed by the facility during operation of the loading rack at a frequency of not less than once per day per Condition 4 of their 10/20/11 NSR permit.

C. Recordkeeping

Conditions IV.C.1 through 10 require maintenance of records of emission data and operating parameters necessary to demonstrate compliance with the permit. These include tanker truck vapor tightness documentation, identification number of each tank truck which receives gasoline, calculation of monthly and twelve-month rolling VOC emissions from the processing of fuel through the vapor processing system, pressure readings from the vapor collection system and liquid loading equipment, all leak check inspections, records of the VRU monitoring device daily observation, and results of all performance tests.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five years per Condition 20 of 10/20/11 NSR permit.

D. Testing

1. The facility must be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
2. If testing is conducted in addition to the monitoring specified in the permit, the facility must use the appropriate method(s) in accordance with procedures approved by the DEQ.

E. Reporting

When a leak detected in accordance with Condition IV.B.1 cannot be repaired within fifteen days, the permittee shall notify the Regional Air Compliance Manager of the DEQ's NRO. The notification shall state the circumstances of the leak and the reason repair cannot be made within the prescribed fifteen days.

V. FACILITY WIDE CONDITIONS

A. Limitations

1. Annual Throughput Gasoline - The facility shall not have an annual throughput of a gasoline in excess of 450,000,000 gallons per year for all IFR equipped tanks, to be calculated monthly by adding the most recently completed monthly totals to the total of the previous eleven months per Condition 13 of 10/20/11 NSR permit.
2. Annual Throughput Diesel Fuel/AV Jet Fuel - The facility shall not have an annual throughput of a diesel fuel/AV Jet fuel for all tanks onsite (including 30801 and 31536) in excess of 300,000,000 gallons per year, to be calculated monthly by adding the most recently completed monthly totals to the total of the previous eleven months per Condition 14 of 10/20/11 NSR permit.
3. Annual Throughput Ethanol - The facility shall not have an annual throughput of an ethanol in excess of 50,000,000 gallons per year for all IFR equipped tanks, to be calculated monthly by adding the most recently completed monthly totals to the total of the previous eleven months per Condition 15 of 10/20/11 NR permit.
4. The facility shall be operated in compliance with 40 CFR 63, Subpart BBBBBB: National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.

B. Monitoring

Conditions V.B.1 and V.B.2 - The method of compliance determination for the facility includes monthly inspections of pressure relief devices, valves, flanges, sampling connections or other connection devices in the gasoline liquid transfer or vapor collection system, and proper operation and maintenance of all equipment, including air pollution control equipment. Logs of monthly inspections, written procedures for equipment, operator training records, and records of scheduled and unscheduled maintenance ensure that VOC emissions from the facility are minimal, per Condition 26 of their 10/20/11 NSR permit.

40 CFR 64, Compliance Assurance Monitoring (CAM) -

CAM applies to each emissions unit at a major stationary source required to obtain a Title V permit that meets all of the following: 1) has a point source emission unit with a control device, 2) has emissions subject to an applicable rule, and 3) has uncontrolled emissions that exceed the major source threshold. 40 CFR 64.2(b)(1)(vi) states that the requirements of Part 64 do not apply to emission limitations or standards for which a part 70 or 71 permit specifies a continuous compliance determination method. Motiva Fairfax employs a continuous emissions monitor; therefore, the monitoring requirements of 40 CFR 64 are exempted.

C. Recordkeeping

Conditions V.C.1 – 3 include requirements for maintaining records of all monitoring and testing required by the permit. These records include monthly throughput records, records of inspections, maintenance and operation records, and excess emissions reports, per the requirements of Conditions 20 and 27 of the 10/20/11 NSR permit.

D. Testing

The permit does not require source compliance emission tests. If compliance emission testing is required, the permittee shall use appropriate methods in accordance with procedures approved by the DEQ. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

E. Reporting

Conditions V.E.1 – 4 include annual reporting requirements, including requirements for a certification by the facility's responsible official for specified documents provided to the DEQ per Conditions 21 thru 23 of the facility's 10/20/11 NSR permit.

VI. INSIGNIFICANT EMISSIONS UNITS

The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110. Insignificant emission units include the following:

Emission Unit No.	Emission Unit Description	Citation ¹	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
B-106	Oil Water Separator	9 VAC 5-80-720.B	VOC	--
B-107	Oil Water Separator	9 VAC 5-80-720.B	VOC	--
F02	Facility Fugitive Equipment Leaks	9 VAC 5-80-720.B	VOC	--

DL1	Distillate Loading	9 VAC 5-80-720.B	VOC	--
6810	Additive Tank	9 VAC 5-80-720.B	VOC	--
6811	Additive Tank	9 VAC 5-80-720.B	VOC	--
6812	Additive Tank	9 VAC 5-80-720.B	VOC	--
6813	Additive Tank	9 VAC 5-80-720.B	VOC	--
6815	Additive Tank	9 VAC 5-80-720.B	VOC	--
6816	Additive Tank	9 VAC 5-80-720.B	VOC	--
6817	Additive Tank	9 VAC 5-80-720.B	VOC	--
6818	Additive Tank	9 VAC 5-80-720.B	VOC	--
6819	Additive Tank	9 VAC 5-80-720.B	VOC	--
6820	Additive Tank	9 VAC 5-80-720.B	VOC	--
T003FC	Trench System Tank	9 VAC 5-80-720.B	VOC	--
T001FC	Skimmer Tank	9 VAC 5-80-720.B	VOC	--
6814	Diesel Fuel Oil Storage Tank	9 VAC 5-80-720.B	VOC	--

¹The citation criteria for insignificant activities are as follows:

9 VAC 5-80-720 A - Listed Insignificant Activity, Not Included in Permit Application

9 VAC 5-80-720 B - Insignificant due to emission levels

9 VAC 5-80-720 C - Insignificant due to size or production rate

VII. INAPPLICABLE REQUIREMENTS

There are no applicable Green House Gas requirements. In addition, the following requirements have been identified as inapplicable:

Emissions	Citation	Title of Citation	Description of Applicability
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Unit No.			
General	40 CFR 61	NESHAP for asbestos, radon, vinyl chloride, mercury, etc.	Not a source category subject to this rule.
General	40 CFR 63, Subpart R	National Emissions Standards for Gasoline Distribution – Stage 1	Emissions are below 10 tpy for a single HAP and below 25 tpy for a combination of HAPs.
General	40 CFR 64	Compliance Assurance Monitoring	Facility employs a CEMS which meets exemption criterion of 40 CFR64.2(b)(1)
General	40 CFR 68	Accidental Release Prevention Requirements, under Section 112(r)	Petroleum liquids (gasoline, diesel, ethanol, etc.) are not subject to this rule.
General	40 CFR 82, Subparts F & G	Stratospheric Ozone Protection	Class I or Class II ozone depleting chemicals (ODC) are not used at this site.
30803-30808	40 CFR 60, Subparts K, Ka, and Kb	NSPS for Storage Vessels for Petroleum Liquids/Volatile Organic Liquids	Construction, modification, or reconstruction activities have not occurred.
30801, 6810-6813, 6815-6820, and 31536	40 CFR 60, Subparts K, Ka, and Kb	NSPS for Storage Vessels for Petroleum Liquids/Volatile Organic Liquids	Storage tanks have a capacity and/or contain products with a true vapor pressure less than NSPS applicability threshold.
6810-6813, 6815-6820	9 VAC 5-40-3410 thru 3550	Emission Standards for VOC Storage and Transfer Operations	Support tanks are less than 40,000 gallons capacity therefore Article 25 does not apply

VIII. GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all Federal-operating permitted sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

Comments on General Conditions

B. Permit Expiration

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §2.2-604 and §10.1-1185 of the *Code of Virginia*, and the "Department of Environmental Quality Agency Policy Statement No. 2-2003".

This general condition cite(s) the Article(s) that follow(s):
Article 1 (9 VAC 5-80-50 et seq.), Part II of 9 VAC 5 Chapter 80. Federal Operating Permits for Stationary Sources

This general condition cites the sections that follow:

- 9 VAC 5-80-80. Application
- 9 VAC 5-80-140. Permit Shield
- 9 VAC 5-80-150. Action on Permit Applications

D. Annual Compliance Certification

In 2010 EPA issued revised submittal requirements in that the annual certification to EPA shall only be submitted in electronic format to the email address, R3_APD_Permits@epa.gov

F. Failure/Malfunction Reporting

Section 9 VAC 5-20-180 requires malfunction and excess emission reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; however, reporting is required within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to section 9 VAC 5-20-180 including Title V facilities. Section 9 VAC 5-80-250 is from the Title V regulations. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four daytime business hours of discovery of the malfunction.

In order for emission units to be relieved from the requirement to make a written report in fourteen days the emission units must have continuous monitors meeting the requirements of 9 VAC 5-50-410 or 9 VAC 5-40-41.

This general condition cites the sections that follow:

- 9 VAC 5-40-41. Emissions Monitoring Procedures for Existing Sources
- 9 VAC 5-40-50. Notification, Records and Reporting
- 9 VAC 5-50-50. Notification, Records and Reporting

This general condition contains a citation from the Code of Federal Regulations as follows:
40 CFR 60.13 (h). Monitoring Requirements.

J. Permit Modification

This general condition cites the sections that follow:

- 9 VAC 5-80-50. Applicability, Federal Operating Permit For Stationary Sources
- 9 VAC 5-80-190. Changes to Permits.
- 9 VAC 5-80-260. Enforcement.
- 9 VAC 5-80-1100. Applicability, Permits for New and Modified Stationary Sources

9 VAC 5-80-1790. Applicability, Permits for Major Stationary Sources and Modifications Located in Prevention of Significant Deterioration Areas

9 VAC 5-80-2000. Applicability, Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas

U. Malfunction as an Affirmative Defense

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition U and General Condition F. For further explanation see the comments on general condition F.

This general condition cites the sections that follow:

9 VAC 5-20-180. Facility and Control Equipment Maintenance or Malfunction

9 VAC 5-80-110. Permit Content

Y. Asbestos Requirements

The Virginia Department of Labor and Industry under Section 40.1-51.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos.

This general condition contains a citation from the Code of Federal Regulations that follows:

40 CFR 61.145, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to demolition and renovation.

40 CFR 61.148, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to insulating materials.

40 CFR 61.150, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to waste disposal.

This general condition cites the regulatory sections that follow:

9 VAC 5-60-70. Designated Emissions Standards

9 VAC 5-80-110. Permit Content

COMPLIANCE PLAN

Motiva Springfield is currently in compliance with all applicable requirements. No compliance plan was included in the application or the permit.

CONFIDENTIAL INFORMATION

The permittee did not submit a request for confidentiality. All portions of the Title V application are suitable for public review.

PUBLIC PARTICIPATION

The proposed permit will be place on public notice in the xxx from xxx to xxx.

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